

### REMARKS

The office action of May 5, 2004, has been carefully considered.

It is noted that the drawings are objected to for not showing all the features specified in the claims.

Claims 14-16 and 18-19 are rejected under 35 U.S.C. 102(b) over the patent to Russell et al.

Claim 17 is rejected under 35 U.S.C. 103(a) over Russell et al.

Claim 20 is rejected under 35 U.S.C. 103(a) over Russell et al.

In connection with the Examiner's objection to the drawing, applicant directs the Examiner's attention to Figure 4 where coilers 20, 21 are shown. Thus, it is respectfully submitted that all the features recited in the claims are shown in the drawings.

In view of these considerations it is respectfully submitted that the objection to the drawings under 37 C.F.R. 1.83(a) is overcome and should be withdrawn.

In view of the Examiner's rejections of the claims, applicant has amended claim 14.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the reference.

Turning now to the reference it can be seen that Russell et al. disclose a rotary cutter arrangement for paper webs, which includes a fixedly mounted rotatable knife drum 15. The knife drum 20 is also fixedly mounted. The knife 22 is brought in or out of a cutting position by a minimal rotation of the knife drum 20. Neither of the knife drums is mounted on a rocker as in the presently claimed invention. The element 39 of Russell et al. does not cause the drum 20 to pivot. The drum 20 is coaxial with the pivot axis of the element 39 and thus the drum is not pivotable, it only rotates. The element 39 of Russell et al. only rotates the drum 20 to move the knife 22 into and out of a cutting position and

a rest position in which no cutting takes place. Neither of the drums 15 and 20 of Russell et al. are pivotably movable toward or away the other, as in the presently claimed invention.

An additional distinction between Russell et al. and the present invention is that Russell et al. only accelerate one drum to the speed of the strip whereas the present invention accelerates both drums to the strip speed.


Thus, it is respectfully submitted that Russell et al. do not disclose or teach the presently claimed invention.

In view of these considerations it is respectfully submitted that the rejection of claims 14-16 and 18-19 under 35 U.S.C. 102(b), and the rejections of claims 17 and 20 under 35 U.S.C. 103(a) over the above-discussed reference are overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on October 5, 2004.

By:   
Friedrich Kueffner

Date: October 5, 2004